

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

MATHEW MARTOMA,

Defendant.

No. 12-cr-00973 (PGG)  
ECF Case

**DECLARATION OF RICHARD M. STRASSBERG IN SUPPORT OF  
DEFENDANT MATHEW MARTOMA'S MOTION FOR A WRITTEN  
JUROR QUESTIONNAIRE IN ADVANCE OF *VOIR DIRE***

**(MR. MARTOMA'S MOTION *IN LIMINE* NO. 1)**

I, Richard M. Strassberg, declare under penalty of perjury as follows:

1. I am a member of the law firm of Goodwin Procter LLP, attorneys for Defendant Mathew Martoma in this action. I have personal knowledge of and am familiar with the facts and circumstances set forth herein by virtue of my representation of Mr. Martoma in this action. I submit this declaration in support of Mr. Martoma's Motion for a Written Jury Questionnaire in Advance of *Voir Dire* in *United States v. Martoma*, 12 Cr. 973 (PGG).

2. On information and belief, Mr. Martoma and/or SAC Capital have been mentioned in over 2000 articles.

3. On information and belief, Mr. Martoma and/or SAC have been mentioned in over 330 stories about insider trading allegations – including at least 60 front-page stories – in *The Wall Street Journal*, *The New York Times*, and *The New York Post*.

4. On information and belief, Mr. Martoma and/or SAC have been mentioned in connection with insider trading at least 1,800 times.

5. On information and belief, a single tweet by Forbes about Mr. Martoma's arrest was viewed over 1 million times and a single tweet by the Associated Press about SAC's guilty plea was viewed over 2 million times

6. Attached hereto as Exhibit 1 is a true and correct copy of Peter J. Henning, *The Impact of the Settlement on SAC Capital and Cohen*, N.Y. TIMES, Nov. 4, 2013.

7. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the transcript of the voir dire in *United States v. Steinberg*, No. 12-cr-121, on November 19, 2013.

8. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from Judge Sullivan's Juror Questionnaire in *United States v. Steinberg*, No. 12-cr-121, dated November 19, 2013.

9. Attached hereto as Exhibit 4 is a true and correct copy of a press release issued by the United States Attorney's Office for the Southern District of New York on November 20, 2012, titled "Manhattan U.S. Attorney and FBI Special Agent-In-Charge Announce Charges Against Former Hedge Fund Portfolio Manager for \$276 Million Insider Trading Scheme Involving Alzheimer's Disease Drug Trial."

10. Attached hereto as Exhibit 5 is a true and correct copy of Bryan Burrough & Bethany McLean, *The Hunt for Steve Cohen*, VANITY FAIR, June 2013.

11. Attached hereto as Exhibit 6 is a true and correct copy of Walter Pavlo, *Prosecutors Spoon Feed Journalists Stories*, FORBES, Oct. 7, 2013.

12. Attached hereto as Exhibit 7 is a true and correct copy of a press release issued by the United States Attorney's Office for the Southern District of New York on March 29, 2013, titled "Manhattan U.S. Attorney and FBI Assistant Director-In-Charge Announce Insider Trading Charges against Hedge Fund Portfolio Manager."

13. Attached hereto as Exhibit 8 is a true and correct copy of a press release issued by the United States Attorney's Office for the Southern District of New York on July 25, 2013, titled "Manhattan U.S. Attorney and FBI Assistant Director-In-Charge Announce Insider Trading Charges against Four SAC Capital Management Companies and SAC Portfolio Manager."

14. Attached hereto as Exhibit 9 is a true and correct copy of a press release issued by the United States Attorney's Office for the Southern District of New York on November 4, 2013, titled "Manhattan U.S. Attorney Announces Guilty Plea Agreement with SAC Capital Management Companies."

15. Attached hereto as Exhibit 10 is a true and correct copy of Peter Lattman, *Insider Inquiry Inching Closer to a Billionaire*, N.Y. TIMES, Nov. 20, 2012.

16. Attached hereto as Exhibit 11 is a true and correct copy of Adam Shell, *N.Y. Feds Claim Most Lucrative Insider-Trading Case*, USA TODAY, Nov. 21, 2012.

17. Attached hereto as Exhibit 12 is a true and correct copy of David Glovin, et al., *SAC Insider Probe Rides a FINRA Referral to Cohen's Backyard*, BLOOMBERG, Nov. 22, 2012.

18. Attached hereto as Exhibit 13 is a true and correct copy of Joe Palazzolo, *Doc Dump: 'Most Lucrative Insider-Trading Scheme Ever Charged,'* WALL ST. J., Nov. 20, 2012.

19. Attached hereto as Exhibit 14 is a true and correct copy of Aaron Smith, *Federal Investigators Keep Circling Steven Cohen and SAC Capital*, CNN, Nov. 21, 2012.

20. Attached hereto as Exhibit 15 is a true and correct copy of David Robertson, *FBI Takes Next Step Towards Landing the 'White Whale,'* THE TIMES, Nov. 26, 2012.

21. Attached hereto as Exhibit 16 is a true and correct copy of Peter Lattman & Ben Protess, *Trail to a Hedge Fund, from a Cluster of Cases*, N.Y. TIMES, Dec. 5, 2012.

22. Attached hereto as Exhibit 17 is a true and correct copy of Peter Henning, *What's Next in the Case against SAC*, N.Y. TIMES, July 25, 2013.

23. Attached hereto as Exhibit 18 is a true and correct copy of James O'Toole, *SAC Capital Hit With Criminal Charges*, CNN, July 25, 2013.

24. Attached hereto as Exhibit 19 is a true and correct copy of Andrew Ross Sorkin & Peter Lattman, *New Details Suggest a Defense in SAC Case*, N.Y. TIMES, Feb. 3, 2013.

25. Attached hereto as Exhibit 20 is a true and correct copy of Duff McDonald, *SAC Faces the Music: Preet Bharara Goes Nuclear on Hedge Fund – Is Cohen Next?*, NEW YORK OBSERVER, July 30, 2013.

26. Attached hereto as Exhibit 21 is a true and correct copy of Jesse Eisinger, *When Wall Street Investors Favor Performance Over Ethics*, N.Y. TIMES, Dec. 12, 2012.

27. Attached hereto as Exhibit 22 is a true and correct copy of Rebecca Jarvis, et al. *Indicted Hedge Fund SAC Capital 'Magnet for Market Cheaters,'* ABC NEWS, July 25, 2013.

28. Attached hereto as Exhibit 23 is a true and correct copy of James Sterngold, *In SAC Case, the Name Steve A. Cohen Is Conspicuous by Its Absence*, WALL ST. J., July 25, 2013.

29. Attached hereto as Exhibit 24 is a true and correct copy of Kaja Whitehouse, *SAC Indicted by US, Charge Decade-Long Insider Scam*, NEW YORK POST, July 26, 2013.

30. Attached hereto as Exhibit 25 is a true and correct copy of Jia Lynn Yang & Sari Horwitz, *Criminal Charges Against SAC Said to be Coming Soon*, THE WASHINGTON POST, July 25, 2013.

31. Attached hereto as Exhibit 26 is a true and correct copy of Dan McCrum, *Steven Cohen: Trader in the spotlight*, FINANCIAL TIMES, Nov. 23, 2012.

32. Attached hereto as Exhibit 27 is a true and correct copy of Sam Pizzigati, *America's Top 10 Greediest People of 2012*, HUFFINGTON POST, Jan. 8, 2013.

33. Attached hereto as Exhibit 28 is a true and correct copy of Jake Zamansky, *The Feds Must Chase Down King Cohen*, FORBES, Apr. 4, 2013.

34. Attached hereto as Exhibit 29 is a true and correct copy of *SEC Charges Hedge Fund Godfather Cohen with Insider Trading*, THE WASHINGTON POST, July 20, 2013.

35. Attached hereto as Exhibit 30 is a true and correct copy of Sam Gustin, *Stevie Walks: Wall Street Billionaire Steve Cohen Dodges Insider Trading Charges*, TIME, July 5, 2013.

36. Attached hereto as Exhibit 31 is a true and correct copy of Reynolds Holding, *SAC's Steve Cohen may be the A-Rod of Wall Street*, REUTERS BREAKING VIEWS, Aug. 7, 2013.

37. Attached hereto as Exhibit 32 is a true and correct copy of Linette Lopez, *The Government Just Finished Up Its Press Conference on SAC Capital – Here's What We Learned*, BUSINESS INSIDER, Nov. 4, 2013.

38. Attached hereto as Exhibit 33 is a true and correct copy of John Carreyrou, *For U.S. and SAC Alike, Battles Won and Lost*, WALL ST. J., Nov. 5, 2013.

39. Attached hereto as Exhibit 34 is a true and correct copy of Sheelah Kolhatkar, *SAC Capital to Pay \$1.8 Billion, the Largest Insider Trading Fine Ever*, BLOOMBERG BUSINESSWEEK, Nov. 4, 2013.

40. Attached hereto as Exhibit 35 is a true and correct copy of Joe Schneider & Joshua Gallu, *Cohen's SAC Capital Seen Pleading Guilty to Securities Fraud*, BLOOMBERG, Nov. 4, 2013.

41. Attached hereto as Exhibit 36 is a true and correct copy of Daniel Beekman, *SAC Capital Advisors Reaches \$1.8 Billion Deal with Feds Over Insider Trading Charges*, NEW YORK DAILY NEWS, Nov. 4, 2013.

42. Attached hereto as Exhibit 37 is a true and correct copy of James O'Toole & Chris Isidore, *SAC Capital to Plead Guilty to Insider Trading Charges*, CNN, Nov. 4, 2013.

43. Attached hereto as Exhibit 38 is a true and correct copy of Nathan Vardi, *Steve Cohen Will Probably Earn Enough This Year to Cover His Hedge Fund's New \$1.2 Billion Settlement*, FORBES, Nov. 4, 2013.

44. Attached hereto as Exhibit 39 is a true and correct copy of Kevin Roose, *Steve Cohen Rolls Over*, DAILY INTELLIGENCER, Nov. 4, 2013.

45. Attached hereto as Exhibit 40 is a true and correct copy of Ben Protess & Peter Lattman, *SAC Nears an Insider Trading Guilty Plea, but Legal Cases Aren't Shut*, N.Y. TIMES, Nov. 3, 2013.

46. Attached hereto as Exhibit 41 is a true and correct copy of excerpts of a hearing transcript in *United States of America v. S.A.C. Capital Advisors, L.P., et al.*, No. 13-cv-05182, held on November 6, 2013.

47. Attached hereto as Exhibit 42 is a true and correct copy of excerpts of a the pre-trial conference transcript in *United States v. Steinberg*, No. 12-cr-121, held on November 14, 2013.

48. Attached hereto as Exhibit 43 is a true and correct copy of Michael Erman, *Five Years After Lehman, Americans Still Angry at Wall Street: Reuters/Ipsos Poll*, REUTERS, Sept. 15, 2013.

49. Attached hereto as Exhibit 44 is a true and correct copy of Patricia Hurtado, *Martoma Judge Grants Defense Time to Review U.S. Evidence*, BLOOMBERG, Mar. 5, 2013.

50. Attached hereto as Exhibit 45 is a true and correct copy of Lauren Tara LaCapra et al., *SAC Gets Cut by 'Edge', a Word Cohen Hated*, REUTERS, July 25, 2013.

51. Attached hereto as Exhibit 46 is a true and correct copy of Michael Rothfeld & Jenny Strasburg, *Witness Adds Thread to SAC Probe*, WALL ST. J., Jan. 23, 2013.

52. Attached hereto as Exhibit 47 is a true and correct copy of Bob Van Voris & Patricia Hurtado, *Martoma Faces Evidence from Trades to E-Mails, U.S. Says*, BLOOMBERG, May 14, 2013.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on December 6, 2013  
New York, NY

/s/ Richard M. Strassberg  
Richard M. Strassberg (RS5141)